



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/955,366  | 09/18/2001  | Toru Yamada          | P/126-209           | 8343             |
| 7590  | 04/06/2006  |                      | EXAMINER            |                  |
| Steven I Weisburd Esq<br>Dickstein Shapiro Morin & Oshinsky LLP<br>1177 Avenue of the Americas<br>41st Floor<br>New York, NY 10036-2714 |             |                      | AN, SHAWN S         |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2621                |                  |

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/955,366 | <b>Applicant(s)</b><br>YAMADA, TORU |  |
|                              | <b>Examiner</b><br>Shawn S. An       | <b>Art Unit</b><br>2621             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7, 14 and 16 is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-12 and 15 is/are rejected.
- 7) ☒ Claim(s) 6 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Remarks*

1. Applicant's remarks as filed on 9/15/05 have been fully considered but they are partially not persuasive. The Applicant presents an argument of which Boyce does not disclose a claimed limitation of "a display size obtaining unit which obtains a display size of the image displayed on the display device".

However, after careful scrutiny of Boyce's reference, the Examiner must respectfully disagree, and maintain the grounds of rejection for the reasons that follow.

In response, Boyce discloses a display size obtaining unit (Fig. 4, 404) which obtains a display size of the image displayed on the display device (Fig. 4, see TO DISPLAY) (col. 18, lines 37-54). In other words, how will the display device know to display the size of the image displayed, if the display size obtaining unit does not know/send the size of the image (reduced resolution decoded by 402, 403) as well as the full image (resolution decoded by 401) ?

Applicant's arguments with respect to claims 7, 14, and 16 have been considered to be persuasive.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 8, 10, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyce (6,262,770) as previously discussed in the last office action as filed on 6/28/05.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce (6,262,770) as previously discussed in the last office action as filed on 6/28/05.

6. Claims 2, 5, 9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce (6,262,770) in view of Pearlstein (6,370,192) as previously discussed in the last office action as filed on 6/28/05.

***Allowable Subject Matter***

7. **Claims 6 and 13** are objected to as being dependent upon rejected base claims 1 and 8, respectively, but would be allowable:

if claim 6 is rewritten in independent form including all of the limitations of the base claim 1 and any intervening claims; and

if claim 13 is rewritten in independent form including all of the limitations of the base claim 8 and any intervening claims.

The prior art of record fails to anticipate or make obvious the novel feature(s).

8. **Claims 7, 14, and 16** are allowed.

9. **Claims 7, 14, and 16** include novel features of a moving picture reproducing device, comprising:

a luminance decoding unit for decoding luminance component in the compressed moving picture; and

Art Unit: 2621

a color difference decoding unit for decoding color difference component in the compressed moving picture, wherein the luminance decoding unit decodes the compressed moving picture in a resolution which is *lower* than a resolution used by the color-difference decoding unit.

The prior art of record fails to anticipate or make obvious the novel feature(s).

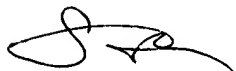
Accordingly, if rejected claims are canceled, the application would be placed in a condition for allowance.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S An* whose telephone number is 571-272-7324.

11. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**SHAWN AN**  
**PRIMARY EXAMINER**

4/02/06